

Danner, Ward

From: Maier, Brent
Sent: Thursday, August 07, 2014 9:10 AM
To: Armann, Steve; Huetteman, Tom; Barhite, Steven; Wilson, Patrick; Beach, John; Santos, Carmen; Mogharabi, Nahal; Keener, Bill; Zito, Kelly; LEONIDO-JOHN, STEVEN; Scott, Jeff
Cc: Johnson, Kathleen
Subject: (Malibu) PEER Press Release: Malibu Teachers Face Firing For Balking At Toxic Classrooms
Importance: High
Follow Up Flag: Follow up
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Categories: Green Category

Please see the attached PEER press release regarding Malibu High School.

Brent Maier

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From: info=peer.org@mail.salsalabs.net [mailto:info=peer.org@mail.salsalabs.net] **On Behalf Of** Public Employees for Environmental Responsibility (PEER)
Sent: Thursday, August 07, 2014 8:58 AM
To: Maier, Brent
Subject: PRESS RELEASE: Malibu Teachers Face Firing For Balking At Toxic Classrooms

For Immediate Release: Thursday, August 7, 2014
Contact: Leola Webb (202) 265-7337

MALIBU TEACHERS FACE FIRING FOR BALKING AT TOXIC CLASSROOMS School Officials Threaten Parents with Arrest If They Protest on First Day of School

Washington, DC — The new Malibu High School interim principal has vowed to terminate teachers who refuse to occupy classrooms contaminated with toxic compounds. That threat violates state laws shielding workers from retaliation for raising health and safety concerns, according to a letter sent today by Public Employees for Environmental Responsibility (PEER) to the superintendent of Santa Monica-Malibu Unified School District (SMMUSD).

During the first official meeting between Principal David Jackson and the department heads on August 1, several teachers voiced concern over returning to classrooms containing carcinogenic polychlorinated biphenyls (PCBs) at levels much higher than federal limits and which have not been remediated. According to teachers in attendance, Mr. Jackson reportedly said –

"If you don't go back on the first day I'll give you a warning, if you don't go back on the second day I will write you up, if you don't go back on the third day I'll write you up again, if you don't go back on the fourth day, I'll fire you."

“The California Labor Code is unmistakably clear – workers cannot be fired for refusing to work in unhealthful or illegal conditions,” stated PEER Senior Counsel Paula Dinerstein whose organization is representing teachers at Malibu Middle and High School and Juan Cabrillo Elementary School who have come forward with health problems ranging from four cases of thyroid cancer to migraines and hair loss which they believe are due to campus conditions. “Besides being illegal, threatening to fire teachers who have already been diagnosed with cancer is just plain callous.”

PEER is urging SMMUSD Superintendent Sandra Lyon to direct her administrators to refrain from threats and provide safe alternative sites for teachers and students who are scheduled to resume classes later this month. The Malibu campuses have been roiled since it was learned last fall that PCBs and pesticides were found at levels that risk human health back in 2009 but school officials hid this information from parents and teachers. This November, the district began testing caulking and found four classrooms were over federal safety limits. In July, independent tests revealed additional classrooms with levels of PCBs much higher than previously reported.

Concerned and frustrated parents are planning a protest but Principal Jackson also said that he will seek to have any parent who steps on school property arrested. Since June, parents have asked that portable classrooms substitute for any building in violation of federal law that has not been remediated. The district has refused this request. As a consequence, many parents have already removed their child from the district and many others are still undecided what to do when school begins August 19th.

“The district is rapidly losing the confidence of its teachers and parents,” added Dinerstein, noting that the SMMUSD has hired yet another public relations firm, in addition to two law firms and other consultants. “The district needs to change course from its pattern of denials, dissembling and threats. It needs to immediately start a dialogue about providing safe, acceptable options for its students, teachers and staff.”

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[Read the PEER letter](#)

[Look at independent test results of PCB-laden class areas](#)